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08/479,810	06/07/1995	JOHANNES G. BEDNORZ	YOR919870074US5	8594

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IBM CORPORATION, T.J. WATSON RESEARCH CENTER
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EXAMINER

KOPEC, MARK T

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ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte Johannes G. Bednorz and Carl A. Mueller

Appeal 2009-003320
Application 08/479,810
Technology Center 1700

Mailed: May 11, 2010

DECISION ON PETITION

This is a decision on the "Request for Oral Hearing on Appellants' Request to Reopen Prosecution Under 37 C.F.R. § 41.50(a)(2)(i) or 37 C.F.R. § 41.50(b)(2)," filed November 17, 2009 ("Request for Oral Hearing on Request to Reopen Prosecution"). This Request will be treated as Petition to the Chief Administrative Patent Judge under 37 C.F.R. § 41.3(a).

FINDINGS

1. On September 17, 2009, a Decision on Appeal was entered affirming and reversing rejections of the Examiner under 35 U.S.C. § 112, ¶ 1 for lack of enablement.
2. On November 17, 2009, Appellants filed a Request to Reopen Prosecution.

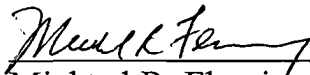
3. By a Decision on Petition entered simultaneously, the Request to Reopen Prosecution has been denied.

DISCUSSION

In view of the denial of the Request to Reopen Prosecution, the present Request for Oral Hearing on Request to Reopen Prosecution is moot.

DECISION

In view of the foregoing, the Request for Oral Hearing on Request to Reopen Prosecution is DISMISSED as moot.



Michael R. Fleming
Chief Administrative Patent Judge

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